



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/765,380

01/22/2001

Fumio Nagashima

1080.1045CIPD3

1046

21171

7590

03/23/2004

EXAMINER

VO, TED T

STAAS & HALSEY LLP

SUITE 700

1201 NEW YORK AVENUE, N.W.

WASHINGTON, DC 20005

ART UNIT

PAPER NUMBER

2122

DATE MAILED: 03/23/2004

16

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. **09/765,380**Applicant(s) **NAGASHIMA ET AL.**Examiner **Ted T. Vo**Art Unit **2122**

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 53-55 and 58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 53-55 and 58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2122

DETAILED ACTION

1. This is in communication to the Applicants' amendment filed on 12/29/2003, responding to the Office action (mailed on 7/29/03) provided in the rejection of Claims 53-55, and 58, where Claims 53, 55, and 58 are amended.

Claims 53-55, and 58 remain pending in the application and which have been fully considered by the Examiner.

Response to Amendment

2. Applicants' arguments (re: Remarks: Pages 4-5) to the amended limitation "*a list storing at least one pointer that indicates at least one function that is executed when the message is received*" as amended in independent Claims 53, 55, and in as such manners as amended in independent Claim 58 have been considered. However, the amendment necessitated the new ground(s) of rejection presented in this office action. The Applicants' arguments to this amendment are moot in view of the new ground(s) of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A person shall be entitled to a patent unless –

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2122

4. Claims 53-55, 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schakelford (US Patent No. 5,265,206).

Given the broadest reasonable interpretation of followed claims in light of the specification.

As per claim 53:

Regarding claim limitations:

"A storage medium (re: Schakelford: See abstract), comprising:

storage for a component which servers as one object in combination with existing software having a graphical user interface, said component issuing an event of the existing software in response to a message issued in another object (re: Schakelford: Started from column 4, line 62 to column 5, line 36, "A Messenger's job is to deliver a request..."); and

a list storing at least one pointer (re: Schakelford: Figure 18, also see Column 6, lines 16-23, Loaded Class Table) that indicates at least one function that is executed when the message is received" (re: Schakelford: Column 6, lines 10-23, 'with each message call to resolve Feature Address' and 'Pointers are used to point to class objects and instance objects' [function that is executed when the message is received]).

Schakelford discloses storage for component such as a memory and an object manager (or a Messenger) which are combined with an object-oriented programming environment and an application program (re: Schakelford: Figure 1). The objects of the object manager (or Messenger) issue messages to another object (re: Schakelford: Started from column 4, line 62 to column 5, line 36, "A messenger's job is to deliver a request to other objects..."). The object manager (or Messenger) includes an object management table that has pointers used to point to class objects and instance objects (re: Schakelford: Column 6, lines 10-23).

Schakelford does not explicitly addresses the object oriented system environment having GUI, but implicitly suggested a generic means of object oriented computer environment (re: Schakelford: Figure 1).

Art Unit: 2122

Official notice is taken that having GUI is well-known in the art at the time of this application since GUI is a standard way to allow a communication between a user and a computer. For example: IBM OS/2, Window95, etc.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to include a standard GUI, into the computer that has storage and object-oriented programming system environment of Schakelford.

Doing so it would take advantage of the existing and well-known GUI as a common way for communicating between a computer user and a computer.

As per claim 54: Schakelford teaches component further includes a message for informing other objects that the event is issued through the executing method (re: Schakelford: See column 2, lines 1-18, "the method corresponds... message call").

As per claim 55:

Regarding claim limitations:

"A storage medium (re: Schakelford: See abstract), comprising: storage for a component which servers as one object in combination with existing software having a graphical user interface, said component said component including a message for informing other objects, upon receipt of occurrence of an event of existing software that the event is generated (re: Schakelford: Started from column 4, line 62 to column 5, line 36, "In this illustration the Messenger will essentially pass the call on to that object"); and

a list storing at least one pointer (re: Schakelford: Figure 18, also see Column 6, lines 16-23, Loaded Class Table) that indicates at least one function that is executed when the other objects receive the message" (re: Schakelford: Column 6, lines 10-23, 'with each message call to resolve Feature Address' and 'Pointers are called object reference' and see Figure 4, 'Messenger' → Method A or Method B [indicates at least one function that is executed when the other objects receive the message]).

Schakelford discloses storage for component such as a memory (re: Schakelford: See abstract) and an object manager (or a Messenger) which are combined with an object-oriented programming

Art Unit: 2122

environment and an application program (re: Schakelford: Figure 1). The objects of the object manager (or Messenger) inform another object (re: Schakelford: Started from column 4, line 62 to column 5, line 36, "In this illustration the Messenger will essentially pass the call on to that object"). The object manager (or Messenger) includes an object management table that has pointers used to point to class objects and instance objects (re: Schakelford: Column 6, lines 10-23).

Schakelford does not explicitly addresses the object oriented system environment having GUI, but implicitly suggested a generic means of object oriented computer environment (figure 1).

Official notice is taken that having GUI is well-known in the art at the time of this application since GUI is a standard way to allow a communication between a user and a computer. For example: IBM OS/2, Window95, etc.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to include a standard GUI, into the computer that has storage and object-oriented programming system environment of Schakelford.

Doing so it would take advantage of the existing and well-known GUI as a common way for communicating between a computer user and a computer.

As per claim 58: Claim 58 has the functionality corresponding to the functionality of claim 53. The claim is rejected in the same reason set forth in connecting to the rejection of claim 53.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened

Art Unit: 2122

statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted T. Vo whose telephone number is (703) 308-9049. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM ET. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam, can be reached on (703) 305-4552.

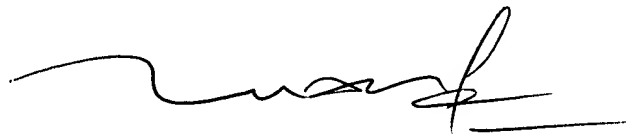
The fax phone numbers:

(703) 872-9306 (for formal communication intended for entry);

(703) 746-5429 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

TTV
March 11, 2004



TUAN DAM
SUPERVISORY PATENT EXAMINER